

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 10, 2005

DIVISION THREE

B172406 Thelma K. Rosenblum, etc. (Certified for Publication)
 v.
 Safeco Insurance Company

The judgment is affirmed. Respondent(s) to recover costs.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

B174418 Frederick H. Morris (Not for Publication)
 v.
 Kathleen M. Jones

The January 27, 2004 restraining order is modified at section 5 to provide:
"Peaceful written contact through a lawyer or a process server or another
person in order to serve legal papers is allowed and does not violate this
order." As modified, the order is affirmed. Morris shall recover costs on
appeal.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

February 10, 2005 (Continued)

DIVISION FOUR

B170969 People (Not for Publication)
v.
Thompson

The judgment is affirmed.

Hastings, Acting P.J.

We concur: Curry, J.
Grimes, J. (Assigned)

B178223 Los Angeles County, D.C. F. S. (Not for Publication)
v.
Maria B.

The petition is denied.

Hastings, Acting P.J.

We concur: Curry, J.
Grimes, J. (Assigned)

[illegible]

The judgment is affirmed.

Curry, J.

We concur: Epstein, J.
Hastings, J.

February 10, 2005 (Continued)

DIVISION FOUR (Continued)

B175420 People (Not for Publication)
v.
Hughes

The order is affirmed.

Epstein, J.

We concur: Hastings, J.
 Curry, J.

B170803 People (Not for Publication)
v.
Nunez

The judgment is affirmed.

Epstein, J.

We concur: Hastings, J.
Curry, J.

DIVISION FIVE

B174518 C3 Entertainment, Inc., et al (Certified for Publication)
v.
Arthur J. Gallagher & Co.

It is ordered that the opinion filed on January 12, 2005, be modified by striking the last paragraph of the Discussion immediately preceding the Disposition and inserting in its place the following language:
We thus direct the trial court to vacate the judgment in favor of Gallagher and not to enter judgment until it can enter a final judgment disposing of all causes of action against both Hartford and Gallagher. There is no change in judgment.

Armstrong, J.

We concur: Turner, P.J.
 Mosk, J.

February 10, 2005 (Continued)

DIVISION SIX

Court convened at 9:00 A.M.

Present: Yegan, Acting P.J., Coffee, J., Perren, J. and G. Bents, Senior Deputy Clerk.

B174985 Boroumand
 v.
 Civil Service Commission of Ventura County

Appearances:
James Matthew Farley for appellant and by John E. Polich, Assistant
County Counsel, for respondent. Argument waived, cause submitted.

B175461 Donahue
 v.
 Westmont College

Merits:
Argued by Penny L. Wheat for appellant and by Richard Roger Roy for
respondent. Cause submitted.

B174320 Betouliere
 v.
 Bauman

Merits:
Argued by Robert J. Wheeler for appellants/cross-respondents and by Paul
D. Powers for respondents/cross-appellants. Cause submitted.

B172872 Saltzburg Ray & Bergman
 v.
 James

Merits:
Argued by Kenneth L. Moes for appellant and by Kenneth W. Kossoff for
respondent. Cause submitted.

February 10, 2005 (Continued)

DIVISION SIX (Continued)

B176810 City of Santa Barbara
 v.
 Santa Barbara Superior Court
 (Janeway, r.p.i.)

Order to Show Cause:

Presented by Janet K. McGinnis, Assistant City Attorney, for petitioner and
by Roland Wrinkle for real parties in interest. Cause submitted.

Court recessed at 11:00 A.M.

Court reconvened at 11:15 AM

Present: Gilbert, P.J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B172265 Koslov V. Lexington Hills Homeowners Assoc.

Argument continued to March, 2005.

B167603 Marriage
 of
 Grose

Merits:

Argued by Vanessa Kirker for appellant/cross-respondent and by Herb Fox
for respondent/cross-appellant. Cause submitted.

Court recessed at 11:25 A.M.

Court reconvened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J. P. McGill, Chief Deputy and G.
Bents, Senior Deputy Clerk.

DIVISION SIX (Continued)

Each of the following:

B166909 People v. Cortez
B168009 People v. Starbird
B170579 People v. Camarena
B170611 People v. Sommers
B171020 People v. Finney
B171153 People v. Reyes
B171277 People v. Hodges
B171681 People v. Zavala
B172037 People v. Espinosa
B172430 People v. Horne
B172708 People v. Juarez
B173402 People v. David T.
B173920 People v. Tyrece R.
B174271 People v. Arbizu
B174491 People v. Jones
B174555 People v. Roth
175678 People v. Gottfried

Argument waived, cause submitted.

B171945 People
 v.
 Ayala

Merits:

Argued by Larry S. Dushkes for appellant and by Steven D. Matthews, Deputy Attorney General, for respondent via video conference. Cause submitted.

B174577 People
 v.
 Barba

Merits:

Argued by Alan G. Karow for appellant and by J. William Bilderback, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B168043 People
 v.
 Moore

Merits:

Argued by David Christian Read for appellant and by Kristofer Jorstad, Deputy Attorney General, for respondent via video conference. Cause submitted.

Coffee, J. left the bench.

B167471 People
 v.
 Cid

Merits:

Argued by Dan Mrotek for appellant and by Paul M. Roadarmel, Deputy Attorney General, for respondent via video conference. Cause submitted.

B174578 People v. Ruiz
B174702 People v. Duran

Merits:

Argued by Michelle Controis, Deputy District Attorney, for appellants and by Michael C. McMahon, Chief Deputy Public Defender, for respondents. Cause submitted.

Court adjourned at 3:05 P.M.

B173771 People
 v.
 Trang, et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION EIGHT

B175553 Los Angeles County, D.C.S. (Not for Publication)

v.

Vera R.,

In re Tanisha H., a Person coming Under the Juvenile Court Law.

The juvenile court order terminating parental rights is vacated. The matter is remanded to the juvenile court. The juvenile court is directed to order DCFS to provide proper notice of the proceeding to each of the appropriate tribes. After receiving proper notice, if no tribe indicates Tanisha is an Indian child within the meaning of the ICWA, the juvenile court is directed to reinstate the order terminating parental rights. If a tribe determines Tanisha is an Indian child, the juvenile court is ordered to conduct a new selection and implementation hearing in conformity with all provisions of the ICWA. In all other respects, the order is affirmed.

Boland, J.

We concur: Rubin, Acting P.J.

Flier, J.

B174474 People (Not for Publication)

v.

Brown

The judgment is reversed.

Boland, J.

We concur: Rubin, Acting P.J.

Flier, J.

B171023 Jamerson

v.

Baca

Filed order denying petition for rehearing.

February 10, 2005 (Continued)

DIVISION EIGHT (Continued)

B168044 People (Not for Publication)
v.
Chavez

The judgment is reversed.

Boland, J.

We concur: Cooper, P.J.
Flier, J.

B171066 People (Not for Publication)
v.
Bell

The judgment is reversed and the case is remanded, solely for resentencing in accordance with *Blakely*, supra, 124 S.Ct. 2531.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.

B171654 Kotler (Certified for Publication)
v.
Pacificare Of California et al.

The judgment is reversed. Plaintiff shall recover costs.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.